

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested. Claims 28-31 have been withdrawn from further consideration as being drawn to a non-elected invention; Claims 16-27 have been rejected under 35 U.S.C. §102 as being anticipated by Kane; Claim 16 has been rejected under 35 U.S.C. §102 as being anticipated by Jarboe et al.; Claims 1, 4, 10, 11 and 14 have been rejected under 35 U.S.C. §103 as being unpatentable over Zuccato and Claim 2 has been objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1, 18 and 28-32 have been canceled, without prejudice and thus, Claims 2-17 and 19-27 and 32 remain active. While the Examiner has stated that claims 1-31 are pending as originally filed, the original application also included claim 32, now cancelled.

Considering first then the Examiner's rejection of Claims 16-27 under 35 U.S.C. §102 as being anticipated by Kane and the rejection of Claim 16 under 35 U.S.C. §102 as being anticipated by Jarboe et al., it is to be noted that Claim 16 has now been amended so as to more clearly patentably define over Kane, Jarboe et al. and the remaining references of record. More particularly, it is submitted that Claim 16 as now amended includes the following features having no corresponding teaching or disclosure in Kane or Jarboe et al. or any of the remaining references of record.

It is to be noted that in accordance with the method claimed in Claim 16, a preliminary surface structure is formed on an object material with the preliminary surface structure having a size slightly smaller than the object fine surface structure. Here, the object material with the preliminary surface structure thereon is referred to as a "surface structure substrate" in Claim 16.

Separately, a mold is fabricated to have a fine surface structure, which is inverted to the object fine surface structure but has nearly the same size as the object fine surface structure.

Then, the inverted fine surface structure on the mold is transferred to the surface structure substrate in correspondence to the preliminary surface structure, thereby forming the final fine surface structure on the surface structure substrate, and obtaining the object article. More particularly, dry-etching is used to transfer the inverted fine surface structure on the mold to the surface structure substrate.

Since a preliminary surface structure having a size close to the object fine surface structure is formed on the object material in advance, when transferring the inverted fine surface structure on the mold to the surface structure substrate, the amount of etching is small, and this reduces the cost and increase the precision of the dry-etching step. As a result, it is possible to fabricate an article having a fine surface structure with less number of steps and low cost.

In view of the fact that the foregoing limitations and those added to claim 16 as now amended have no corresponding teaching or disclosure in Kane, Jarboe et al. or any of the remaining references of record, it is submitted that Claim 16 merits indication of allowability.

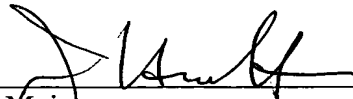
Each of Claims 17 and 19-27 contain additional limitations having no corresponding teaching or disclosure in Kane, Jarboe et al. or any of the remaining references of record. In view of this and in view of the limitation set forth in such claims, it is submitted that Claims 17 and 19-27 also merit indication of allowability.

Lastly, Applicant notes with appreciation the indication of allowable subject matter in Claim 2. In response thereto, such claim has now been placed in independent form.

In view of the foregoing, an early and favorable Office Action is believed to be in order and the same is hereby respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)
JDH/rac
I:\ATTY\JDH\242933US-AM.DOC

James D. Hamilton
Registration No. 28,421